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Human resources management

Internal vacancies in the Secretariat

Employment of retirees

Consultants and individual contractors

Human resources management reform

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the following subjects: (a) internal vacancies in the Secretariat (A/53/327); (b) employment of retirees (A/53/526 and Add.1 and A/53/642); (c) consultants and individual contractors (A/53/385 and A/53/548); and (d) human resources management reform (A/53/414). During its consideration of the documents, representatives of the Secretary-General provided additional information.

I. Internal vacancies in the Secretariat

2. The Advisory Committee notes from paragraph 4 and annex I to document A/53/327 that on 25 November 1997, the United Nations Administrative Tribunal rendered judgement No. 852, *Balogun* (1997), in which the Tribunal ordered the Secretary-General to allow the applicant, who had been recruited under the 200 series of the Staff Rules governing project personnel, "to submit his candidacy for any internal vacancies for which he is qualified and for which he applies".

3. As indicated in paragraph 5 of the same document, the Tribunal based its decision on staff regulation 4.4, applicable to all staff who are "already in the service of the United Nations", an expression which the Tribunal interpreted to mean staff "who are employed in the exclusive service of the Organization, who have taken an oath to the Organization and whose Letters of Appointment oblige them to abide by the terms and conditions of the Staff Regulations and Rules". The Advisory Committee notes that this definition would include not only all 200 series project personnel, but also all staff recruited under the 300 series of the Staff Rules on a short-term appointment or an appointment of limited duration, as well as all staff recruited under the 100 series of the Staff Rules outside the competitive examination system or without a review by the appointment and promotion bodies.

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4. Paragraphs 6 to 13 of document A/53/327 outline the impact the judgement could have on a number of General Assembly resolutions, the placement and promotion process and the appointment and promotion bodies.

5. In paragraph 14 of the same document, the Secretary-General sets options for legislative action, including an amendment to staff regulation 4.4.

6. Under option (a), the General Assembly would accept the Tribunal's interpretation of staff regulation 4.4 by taking note of the judgement.

7. In the case of option (b), the General Assembly would decide to amend staff regulation 4.4 in the manner indicated in document A/53/327 in order to maintain the current practice with regard to the distinction between internal and external recruitment.

8. For reasons given by the Secretary-General in paragraphs 6 to 13 of document A/53/327, the Advisory Committee recommends the adoption of option B in annex II to the document.

II. Employment of retirees

9. The Advisory Committee reviewed the report of the Secretary-General on the employment of retirees (A/53/526 and Add.1). The Committee also had before it an advance text of the report of the Office of Internal Oversight Services (A/53/642). The reports were submitted pursuant to General Assembly decision 51/408 of 4 November 1996, in which the Assembly endorsed related recommendations of the Committee in its report of 8 October 1996 (A/51/475).

10. The Advisory Committee welcomes the report of the Secretary-General as a first step towards the establishment of a procedure by which the General Assembly can monitor the employment of retired personnel. In this connection, the Committee notes recommendation 1 of the Office of Internal Oversight Services (A/53/642, para.34) on the need to provide a standard definition of the term "retiree" and to clarify whether the six-month limitation applies only to retired personnel who are in receipt of a United Nations pension benefit. The Committee agrees with the definition of the term "retiree" as described in paragraph 4 of the report of the Secretary-General (A/53/526) as it is in accordance with Assembly decision 51/408. However, for the purpose of monitoring the trend in this category of personnel, the Committee recommends that, in future, statistics be provided on persons who have retired after age 60 or 62 but have been re-employed for a period of six months or more, including those who have been elected to receive a withdrawal settlement. The Committee also recommends that until the Assembly decides otherwise, those personnel should not be subject to the limitations provided for in the current definition of retirees.

11. On the question of guidelines on the employment of retirees, the Advisory Committee notes from paragraph 13 of the report of the Secretary-General (A/53/526) that a revised administrative instruction "is in the final stages of clearance and will be issued by the end of 1998".

12. With regard to monitoring, to ensure compliance with both the policy and the guidelines for the employment of retirees, the Advisory Committee notes from paragraphs 16 and 17 of document A/53/526 that a number of weaknesses remain to be addressed. These weaknesses relate to the lack of functional automated databases for monitoring and control purposes, non-interface between Integrated Management Information System (IMIS) and Pension Fund records and the absence of automatic warning flags for earnings or duration of contract limits for former staff members who may be re-employed as retirees. The Committee was informed that these shortcomings would be addressed when IMIS is installed worldwide and by arrangements being made to establish connectivity with Pension Fund records.

13. The ceiling on annual earnings is discussed in paragraphs 18 to 20 of the report. The Advisory Committee agrees with the view of the Secretary-General that the current ceilings remain appropriate since no evidence has been adduced that operational difficulties have been experienced (para. 18). The Committee notes from paragraph 20 the increasing recourse to local recruitment of language staff, that is, the proportion of retirees employed on a non-local basis declined from 47 per cent of all retiree language staff in 1995 to 31 per cent in 1997. However, the Committee requests that this trend be monitored carefully in terms of quality of service.

III. Consultants and individual contractors

14. The Advisory Committee examined the reports of the Secretary-General on consultants and individual contractors (A/53/385 and A/53/548). The reports were submitted in accordance with General Assembly resolution 51/226 of 3 April 1997 and decision 52/475 of 31 March 1998. The Committee recalls that in paragraph 44 of its report of 22 October 1996 (A/51/533), which was endorsed by the General Assembly, the Committee recommended that the

Secretary-General submit a report on the use of consultants, using the format of past reports on the subject.

15. The Advisory Committee notes that the report of the Secretary-General (A/53/548) attempts to comply with that request. However, the Committee notes a number of deficiencies in the report. The report is not presented following the format of past reports on the subject. For example, areas of assignment are not indicated in the report. The report also reflects weaknesses identified in previous reports by the Board of Auditors and the report of the Office of Internal Oversight Services. Among these are poor record keeping, data collection and processing. The Committee notes that as far as Headquarters is concerned, statistics are available through IMIS but this is not the same for offices away from Headquarters (A/53/548, para. 2). It is therefore not possible to present comprehensive information on the type and nature of contracts of consultants and individual contractors. In short, the Committee was informed that there was no comprehensive centrally available information on the assignment of consultants and individual contractors. The Committee was also informed that a performance system was being developed and tested and should be in place by June 1999. That being the case, the Committee is not in a position to evaluate the statistics referred to in the report of the Secretary-General. It is the view of the Committee that by the time the next report is prepared, IMIS should have been installed in offices away from Headquarters. The Committee therefore recommends that the next report be prepared in the format recommended by the Committee in paragraph 44 of its report of 22 October 1996 (A/51/533).

16. As to the guidelines for the use of consultants, the Advisory Committee welcomes the proposals in the report of the Secretary-General (A/53/385). The Committee recommends that the new definitions for consultants and individual contractors and the related proposed guidelines be endorsed by the General Assembly and that they be applied in a manner that ensures conformity with relevant Assembly decisions on the employment of consultants in the United Nations.

IV. Human resources management reform

17. The report of the Secretary-General on human resources management reform (A/53/414) has been submitted pursuant to General Assembly resolution A/52/12 A of 12 November 1997, by which the Secretary-General was requested to report on the implementation of actions described in his report entitled "Renewing the United Nations: a programme for reform" (A/51/950 and Add. 1–7).

18. As indicated in the summary, the report focuses on the direction, work in progress and future actions in the area of reform of human resources management, including inputs derived from a task force established to advise the Secretary-General on priorities and strategies for change. During its consideration of the report, the Advisory Committee was provided with a copy of the report of the task force.

19. The Advisory Committee notes that the framework for change offers a vision of organizational change. However, the Committee points out that no specific measures are indicated in the report on how the Secretary-General intends to implement the vision for change. The Committee recommends that the General Assembly request the Secretary-General to submit an implementation plan indicating specific measures for which the Secretariat would be held accountable. The budgetary implications of specific reform measures should be indicated in the proposed programme budget.

20. In this regard, the Committee points out that to the extent that a key element of the envisaged reform in the area of human resources management is an expansion of delegation of authority, such an expansion should be developed hand-in-hand with the refinement of clear lines of authority and accountability and improvements in the administration of justice, taking into account the new central role of the Office of Human Resources Management (see first report on the proposed programme budget for the biennium 1998–1999 (A/52/7 (chap. II, Part VIII)), paragraph VIII.42).